

Indiana Civil Rights Commission
AGENCY MONTHLY REPORT
March 2012



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Executive Director

Intake

The Intake section of the report shows the number of phone, web and/or mail inquiries received from the public. It also shows the number of jurisdictional complaints drafted and mailed. The number of signed complaints received for investigation is also reported.

	Jan 2012	Feb 2012	Mar 2012	Apr 2012	May 2012	June 2012	July 2012	Aug 2012	Sept 2012	Oct 2012	Nov 2012	Dec 2012	Year to Date
Total Number of Inquiries	305	366	381										1052
Number of Complaints Drafted	61	69	64										194
% of inquiries drafted	20%	19%	17%										19%
Employment	43	54	45										142
Real Estate	6	4	3										13
Public Accommodation	2	4	4										10
Credit	0	0	0										0
Education	3	2	3										8
Unknown	7	5	9										21
Number of Complaints Formalized	85	84	95										264
Employment	75	67	73										215
Transferred from EEOC*	23	17	7										47
Real Estate	4	8	14										26
Transferred from HUD**	1	2	1										4
Public Accommodation	6	4	5										15
Credit	0	0	0										0
Education	0	5	3										8

*EEOC sends cases to ICRC pursuant of the Deferral Program. These transfers are included in the total # of EEOC complaints formalized.

**Reflects cases retrieved from Teapots. These transfers are included in the total # of HUD complaints formalized.

Inquiries by Region

This section provides a breakdown of the inquiries received by each region.

	Jan 2011	Feb 2011	Mar 2011	Apr 2011	May 2011	June 2011	July 2011	Aug 2011	Sept 2011	Oct 2011	Nov 2011	Dec 2011	Year to Date
Total Number of Inquiries by Region	305	366	381										1052
Region 1	40	51	38										129
Region 2	22	36	38										96
Region 3	11	13	22										46
Region 4	7	11	12										18
Region 5	132	146	156										434
Region 6	26	37	35										98
Region 7	18	12	18										48
Region 8	18	19	19										56
Region 9	17	19	16										52
Unknown	14	22	27										63

Region 1: Jasper, Lake, LaPorte, Newton, Porter, Pulaski and Starke

Region 2: St. Joseph, Elkhart, Marshall, Fulton, Kosciusko, Wabash, Cass and Miami

Region 3: LaGrange, Steuben, Noble, Dekalb, Whitley, Allen, Huntington, Wells and Adams

Region 4: White, Benton, Warren, Tippecanoe, Carroll, Clinton, Fountain and Montgomery

Region 5: Boone, Hamilton, Hendricks, Marion, Hancock, Morgan, Johnson and Shelby

Region 6: Howard, Grant, Blackford, Jay, Tipton, Madison, Delaware, Randolph, Henry, Wayne, Rush, Fayette, Union and Franklin

Region 7: Vermillion, Parke, Putnam, Vigo, Clay, Owen, Sullivan, Greene and Monroe

Region 8: Knox, Daviess, Martin, Lawrence, Gibson, Pike, Dubois, Orange, Crawford, Posey, Vanderburgh, Warrick, Spencer and Perry

Region 9: Brown, Bartholomew, Clark, Dearborn, Decatur, Floyd, Franklin, Harrison, Jackson, Jefferson, Jennings, Ohio, Ripley, Scott, Switzerland and Washington

Unknown: If the location of the inquiry cannot be identified.

Investigation

The Investigation section shows the overall age of cases currently being investigated by the agency. Cases over 100 days in Real Estate or 180 days in all other cases could be in the Legal Department pending a decision. (Aged is >100 days in Real Estate and >180 days in all other cases).

[illegible]

Closures

The Closure section indicates the number of cases closed and how the case was closed after a complete investigation. NPC = No Probable Cause, CWS = Closed with Settlement (Mediation Agreement), CW = Closed Withdrawal, AD = Administrative Dismissal (Lack of Jurisdiction, Failure to Cooperate/Locate), FO = Final Order.

[illegible]

Legal

The Legal section tracks cases receiving probable/reasonable cause, as well as provides information on active cases being handled by the Legal Department.

	Jan 2011	Feb 2011	Mar 2011	Apr 2011	May 2011	June 2011	July 2011	Aug 2011	Sept 2011	Oct 2011	Nov 2011	Dec 2011	Year to Date
Probable/Reasonable Cause Findings	12	2	4										18
Employment	9	2	3										14
Real Estate	3	0	1										4
Public Accommodation	0	0	0										0
Education	0	0	0										0
Credit	0	0	0										0
Active Cases	45	48	44										
Employment	24	28	29										
Real Estate	9	9	7										
Public Accommodation	6	6	5										
Education	6	5	3										
Credit	0	0	0										
Average Age of Cases since NOF*													

*NOF (Notice of Finding). This includes cases that are now pending in state court.

Probable Cause Findings for the current month

This section provides detailed information on probable cause findings.

Adams v. Fas Pak, Inc. is an employment case based on race. Complainant alleged that Respondent refused to rehire him after termination based on his race.

Wilson v. Samlind of Indiana is an employment case based on disability. Complainant alleged that Respondent denied her a reasonable accommodation.

Stover v. Job Steel Corp. d/b/a Scottsway Trucking is an employment case based on disability. Complainant alleged that Respondent denied him a reasonable accommodation.

Dever v. Orchard Hills, LLC is a housing case based on disability. Complainant alleged that Respondent failed to accommodate her daughter's disability.

Final Orders

This section provides information on cases that receive Final Orders by The Commission.

Looker v. Embry is a housing case based on familial status. Complainant alleged that Respondent refused to rent to her based on her familial status.

Legal Updates

This section provides information on legal news, passing or changes in law and other state and local laws affecting The Commission.

Articles of Interest:

Sacramento woman gets \$168 million for sexual harassment claim

<http://www.news10.net/rss/article/181524/2/Sacramento-woman-gets-168M-for-sexual-harassment-claim->

In what could be the largest amount ever awarded to one employee, Ani Chopourian took on a large health care chain and was awarded \$168 million by a federal court. She said during her employment she was subject to a hostile work environment and sexual harassment by doctors and medical staff for more than 2 years. When she reported these incidents to her human resources department they were quickly dismissed.

Minority students are punished more than whites, US reports. Is it racism? (March 6, 2012)

<http://www.csmonitor.com/USA/Education/2012/0306/Minority-students-are-punished-more-than-whites-US-reports.-Is-it-racism>

Black students are more than three times more likely to be suspended from school than white kids, a Department of Education report finds. Secretary Arne Duncan calls it a violation of civil rights.

“What this data points out is that schools have a choice, that they can say, “it’s tough for us, the topic of race is daunting and awkward for us, but we ought to do something,” says Russ Skiba, an educational psychologist at Indiana University in Bloomington. “By just laying this data out there, DOE is taking a leadership position on this by getting beyond the post-racial myth,”. (The mistaken assumption that the US has put racism in the past).

Civil and Human Rights Coalition Highlights Risks Posed by Census Data Collection Bill (March 6, 2012)

<http://www.civilrights.org/archives/2012/03/1271-census.html>

The proposed legislative changes to the Census Bureau's American Community Survey would severely undermine the collection of data vitally important to civil rights and human rights advocates, schools, businesses, lawmakers, and others who rely on the detailed information to help make critical decisions affecting millions of U.S. residents.

What Rush Limbaugh Can Teach Us About Discrimination Against Women (March 7, 2012)

http://www.huffingtonpost.com/dr-judith-rich/rush-limbaugh-sandra-fluke_b_1257946.html

Rush Limbaugh's comments recently sparked debate nationwide over the issue of sexual harassment. The article makes the statement that sexual harassment is not confined to the workplace, and few women get through life without having been exposed to it personally or know of someone who has.

EEOC Approves Strategic Plan for FY 2012-2016 (Feb. 22, 2012)

<http://www.eeoc.gov/eeoc/newsroom/release/2-22-12.cfm>

"In approving the Strategic Plan, the EEOC today is taking a significant step toward realizing the Commission's vision of ending employment discrimination and promoting equal opportunity in the American workplace," said EEOC Chair Jacqueline Berrien. "I am very pleased with the hard work of staff across the agency who provided assistance throughout the planning process, and I look forward to the successful implementation of the plan."

HUD and the National Fair Housing Alliance Launch Media Campaign to Fight Housing Discrimination (Feb. 22, 2012)

http://portal.hud.gov/hudportal/HUD?src=/press/press_releases_media_advisories/2012/HUDNo.12-035

The campaign includes print ads in English, Spanish and Chinese and is designed to teach individuals and families how to recognize and report discrimination in housing.

Check out the special report WANE-TV Channel 15 (Fort Wayne) did on our Discrimination Study. They did a nice segment last Friday during the evening news: <http://www.wane.com/dpp/news/local/study-shows-high-rate-of-discrimination-in-indiana>

I spoke to Lamar Holliday, who produced the segment, and they wanted to relate it to the issues going on specifically in Allen County. **Note:** Regardless of the local spin, it is nice to see the report sparking further discussion about the issues of discrimination.

Voter ID Laws are the Civil Rights Issue of Our Time, NAACP's Jealous Says (March 12, 2012)

<http://www.bet.com/news/national/2012/03/12/voter-id-laws-are-the-civil-rights-issue-of-our-time-naacp-s-jealous-contentends.html>

The debate is nationwide, citing that voter identification laws violate civil and human rights by suppressing the votes of minorities, the elderly and students.

Note: We have not received any formal interview requests regarding this issue to this point, but this is an issue we should be aware of.

South Bend Council revisits discrimination ordinance (March 9, 2012)

http://articles.southbendtribune.com/2012-03-09/news/31142266_1_gender-identity-sexual-orientation-south-bend-council

A proposal to outlaw discrimination based on gender identity and sexual orientation is back before the Common Council in South Bend. Similar proposed amendments have passed in Evansville, Indianapolis and Marion County, Bloomington and Monroe County, Lafayette, West Lafayette and Tippecanoe County. These ordinances protect gender identity and sexual orientation discrimination. **Note:** There have been several vocal people call the office recently asking for better protection at the state level for sexual orientation to be a protected class. Another issue to keep on your radar.

Age discrimination a growing issue in a difficulty economy (March 8, 2012)

<http://www.deseretnews.com/article/865551785/Age-discrimination-a-growing-issue-in-a-difficult-economy.html>

A growing number of older workers are victim to age discrimination. Statistics from the U.S. Equal Employment Opportunity Commission show a 35% increase nationwide in the number of formal filings in the last decade. This can be greatly attributed to the fact we have an older workforce. The number of workers age 55-64 is projected to rise 40% from 2006-2016. **Note:** We should consider a greater push for age to be a part of our statute.

Indiana Civil Rights Commission to kickoff statewide CLE series (March 9, 2012)

Indiana Lawyer: <http://www.theindianalawyer.com/indiana-civil-rights-commission-to-kickoff-statewide-cle-series/PARAMS/article/28313>

Indianapolis Business Journal: <http://media.ibj.com/Lawyer/il-mobile/article.php?articleId=28313>

Gateway to Central Indiana: <http://gatewaytocentralindiana.com/2012/03/09/indiana-civil-rights-commission-to-kickoff-statewide-cle-series/>

Black Students Are Suspended At Rates 3 Times Higher Than Other Races in Los Angeles Schools (March 6, 2012)

http://www.huffingtonpost.com/2012/03/06/black-students-suspended_n_1324078.html

Evening the Field: Title IX's Continuing Impact Gender Equality in Sports (March 21, 2012)

<http://www.aclu.org/blog/womens-rights/evening-field-title-ixs-continuing-impact-gender-equality-sports>

Indiana BMV causes uproar after rescinding specialty plates

<http://www.lohud.com/usatoday/article/53703506?odyssey=mod%7Cnewswell%7Ctext%7CNews%7Cs>

The Indiana Bureau of Motor Vehicles' decision to rescind an Indiana gay rights advocacy group's specialty license plates has created a statewide battle among state officials, conservation groups and gay rights organizations...

Speakers: Gary crucial to civil rights movement, black empowerment (March 24, 2012, Northwest Indiana Times)

Reverend Jesse Jackson moderated a discussion between former Gary Mayor Richard Hatcher, current Gary Mayor and former Indiana Civil Rights Commission Executive Director Karen Freeman-Wilson, and Indiana State Senators Lonnie Randolph and Earline Rogers.

Click [here](#) to read the entire article.

A hot button topic in communities throughout the state, specifically Evansville/Vanderburgh County and South Bend, are local ordinances or amendments to civil rights code that provide protections for the gay, lesbian and transgender populations. These debates are causing quite the stir in these communities, and although I haven't received any specific media requests at this point, I would not be surprised if we receive a call or two from the media regarding protections for these groups.

Also important to note is the [Trayvon Martin](#) case. Several of the largest marches were held in Indianapolis, and the media has coined the Martin case as a "civil rights violation fueled by widespread stereotyping". There has been a lot of attention nationally for this story, and locally due to these marches in Indianapolis. I have not received any calls at this point from media locally, but I would not be surprised if I did do to the connection to civil rights.

[‘Is Gay the New Black?’ topic of talk at IUSB](#) (Mar. 22, 2012)

Are there similarities between the contemporary push for gay, lesbian, bisexual and transgender people and the historic struggle to ensure civil rights for African Americans? This discussion is fueled by the push for stronger protections for these individuals in city code.

[Vanderburgh County Considering Changes to Civil Rights Code](#) (Mar. 20, 2012)

At the end of last year, the Evansville City Council passed a more expansive Civil Rights Code. Now, Vanderburgh County is trying to follow suit. The Vanderburgh County Human Relations Commission (specifically Diane Clements) is proposing an amendment to the county’s civil rights ordinance to protect people from discrimination, based on sexual orientation, gender identity and disability.

[EEOC Releases Federal Work Force Data](#) (Mar. 21, 2012)

The EEOC recently released its Annual Report on the Federal Work Force Part II: Work Force Statistics, Fiscal Year (FY) 2010. The comprehensive report informs and advises the President and Congress on the state of equal employment opportunity (EEO) government-wide. According to the report, there has been little change in the composition of the federal work force.

[Services to be planned today for the Rev. Boniface Hardin, Martin University Founder](#) (Mar. 26, 2012)

Martin University officials will meet late today to plan details of the memorial service for founder and community civil rights activist Rev. Boniface Hardin, who leaves a legacy of educational opportunities for thousands of adult learners.